

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of

Amendment of Parts 73 and 74 of the)	
Commission's Rules To Establish Rules for)	MB Docket No. 03-185
Digital Low Power Television, Television)	
Translator, and Television Booster Stations)	
And To Amend Rules for Digital Class A)	
Television Stations)	

To: The Commission

COMMENTS OF TIGER EYE BROADCASTING CORPORATION

Tiger Eye Broadcasting Corporation is the owner and operator of several low power television stations across the country. The corporation was formed in 1996 and is headquartered in Miramar, Florida

Tiger Eye Broadcasting provides hours of educational, informative, spiritual, and entertaining local programs. Throughout the country, churches and schools have found a partner in us. We have brought much needed spiritual and minority programs to communities via broadcast. We have consistently committed ourselves to serve our communities in a distinctive and outstanding manner.

1. Commitment of LPTV to their communities. Over the last 20 or so years, Low Power television broadcasters have proved their value to the smaller communities, as well as large cities, across the nation without a doubt. By localizing our broadcasts we have been able to serve citizens otherwise ignored by big business broadcast corporations seeking only to maximize their revenues. Despite the restraining regulations heaped upon the LPTV industry, LPTV broadcasters have maintained their commitment to the communities which they serve. We believe that this commitment will carry over to the digital transition and LPTV broadcasters will do everything in their abilities to make the transition a success.
2. Concerning primary status. That being noted, Tiger Eye Broadcasting strongly believes that it is essential that ALL LPTV stations be given the same opportunity to fully participate in the transition in a manner that will ensure both viability and permanence. We feel that in the world of digital television there should be no secondary service. It is critical to the success of the LPTV industry that digital LPTV stations have permanent and unconditional primary status. Without this primary status most LPTV operators will not be able to obtain the financing necessary to adequately equip their station and serve their communities
3. Concerning second channel & Interference Standards. Tiger Eye also believes that there is no question that all Class A / LPTV stations should be permitted to apply for a second channel to be used solely for digital operation. Most LPTV stations are not carried by cable systems and therefore do not have access to format conversion services. To force a change from analog to digital on a single channel would eliminate a large portion of the viewing audience immediately and would be catastrophic to the station's operation. LPTV stations serve the same viewers as full power stations and we face the same problems. Frankly, we deserve the same opportunities. We feel that existing licensees be given the opportunity to apply for second digital channels only. This could be done by opening a brief filing window followed by a 90 day digital application filing freeze so that the

applications can be entered in the database and examined for mutual exclusivity. After that initial filing period applications for digital stations by existing licensees should be accepted on a first come-first served basis. We feel that applications for new, free standing digital stations should not be accepted until existing stations have had adequate opportunity to receive these channels to be paired with their existing analog channels.

Concerning interference standards. Regarding interference standards, we believe that while finding a digital channel may be a simpler task than finding an analog channel, it may still be extremely difficult in some markets. Interference standards should not be any more of an obstacle than is necessary to avoid destructive interference that causes loss of service to the public.

We feel that the OET 69/Longley-Rice method, which is more detailed and accurate than the current contour method, should be made more readily available and should be allowed for use without a rule waiver request, which is the present case.

By enacting the Community Broadcaster's protection Act of 1999, Congress made a strong statement for the permanence of stations providing, among other things, local programming. The intent was clearly expressed and must be fulfilled throughout the transition to digital operation. Tiger Eye broadcasting strongly believes that any second channel awarded to a Class A station should also be afforded this permanence despite the Notice's statement to the contrary. Failure to award this primary status to the second channel goes against the intent of Congress and provides no incentive for an LPTV operator to invest in high quality digital facilities.

When a second channel meets all Class A interference standards it should be given primary spectrum protection along with the analog channel until the transition is complete and the licensee must return one of the channels. Under NO circumstances should a Class A station be left with a secondary status channel.

4. Conclusion. We know that the transition to Digital is a complex endeavor and Tiger Eye Broadcasting is ready to do its part to further serve our communities. We ask for and need flexibility from the FCC as we move forward. More importantly we need regulations that protect our signals to insure that community and diversity programming will not disappear from cities across this country.

Respectfully submitted,

John N Kyle II
President
Tiger Eye Broadcasting Corporation